

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3853 of 2024

Arising Out of PS. Case No.-83 Year-2024 Thana- GAUNAHA District- West Champaran

Nabi Hussain @ Terenam Son of Phulmohammad Village- Naya Tola Pipara
Ps- Gaunaha Dist- West Champaran

... .. Appellant/s

Versus

1. The State of Bihar
2. Ankit Das Son of Late Ram Prasad Das Village- Dangibari Baleshwar Farm
Po Ps- Thakurganj Dist- Kishanganj Posted as Sub Inspector of Police cum
SHO Matiyariya Ps- Dist- West Champaran

... .. Respondent/s

with

CRIMINAL APPEAL (SJ) No. 3923 of 2024

Arising Out of PS. Case No.-83 Year-2024 Thana- GAUNAHA District- West Champaran

Zahrudin Ansari @ Hafiz Son of Dil Mohammad Miyan Resident of Village-
Naya Tola, Pipra, P.S.- Gaunaha, Distt.- West Champaran

... .. Appellant/s

Versus

1. The State of Bihar
2. Ankit Das Son of Late Ramprasad Das Resident of Village-
Dangibadi,Baleshwar Farm, P.O.- P.S.- Thakurganj, Distt.- Kishanganj

... .. Respondent/s

Appearance :

(In CRIMINAL APPEAL (SJ) No. 3853 of 2024)

For the Appellant/s : Mr.Bashishtha Narayan Mishra, Adv.
Mr. Brij Kishor Mishra, Adv.
Mr. Sachida Nand Rai, Adv.

For the Respondent/s : Mr.Sadanand Paswan, Spl.P.P.

(In CRIMINAL APPEAL (SJ) No. 3923 of 2024)

For the Appellant/s : Mr.Bimlesh Kumar Pandey, Adv.
For the Respondent/s : Mr.Binay Krishna, Spl.P.P.

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 04-09-2024 Heard learned counsel for the appellants as well as

learned Spl.P.P. for the State.



2. This appeal has been preferred on behalf of the appellant under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act for setting aside the order dated 30.07.2024 passed by the learned Additional District & Sessions Judge-1st-cum-Special Judge, SC/ST, Bettiah, West Champaran in connection with Gaunaha P.S. Case No. 83 of 2024, registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 326, 307, 224, 225, 332, 333, 379, 393, 427, 504, 353 of the Indian Penal Code & Section 3(i)(r) (s), 3 (2)(va) of SC and ST (Prevention of Atrocities) Act, whereby the prayer for bail of the appellants has been rejected.

3. As per allegation, when the police was attempting to nab some accused who were wanted in Matiyariya P.S. Case No. 63 of 2024, the villagers protested, they misbehaved and also assaulted the members of police team.

4. Learned counsel for the appellants submits that the appellants are the persons of clean antecedents. They are under custody since 22.06.2024. Learned counsel for the appellant Nabi Hussain @ Terenam submits that Ramdeo Singh had suffered simple injury to whom there is allegation against the petitioner Nabi Hussain to assault. Learned counsel for the



appellant Zahrudin Ansari @ Hafiz submits that he is not concerned with accused persons of Matiyariya P.S. Case No. 63 of 2024. As a matter of fact, the police assaulted the innocent villagers and the police also misbehaved with mother and sister-in-law of the appellant Zahrudin Ansari @ Hafiz due to which some scuffle had taken place. Though, one injury was found grievous on the person of Sanjit but it is on his finger which is not a vital part and the injury report was prepared in a private hospital.

5. Considering the above-mentioned facts and circumstances clean antecedents of the appellant as well as the period of incarceration, the appellants above-named, shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-1st-cum-Special Judge, SC/ST, Bettiah, West Champaran in connection with Gaunaha P.S. Case No. 83 of 2024.

(Nawneet Kumar Pandey, J)

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